



***Town of Tyngsborough
Conservation Commission***

25 Bryants Lane
Tyngsborough, Massachusetts 01879-1003
Office: (978) 649-2300 ext. 116
Fax: (978) 649-2301

Minutes
May 27, 2014
APPROVED

Present:

BM: Brian Martin **PM:** Pat Mical **JK:** Jeff Kablik **LG:** Lucy Gertz **JE:** Jerry Earl
ES: Ed Smith **LB:** Linda Bown **MM:** Matt Marro

Attachments:

1. Agenda
2. 10 Old Tyng Rd. Pictometry Photo – 11/13/08

7:00pm BM opened meeting

7:02pm **10 Old Tyng Rd. (M27, P7, L0) – Request for Determination of Applicability** to determine whether the area depicted on the submitted plan and/or maps is subject to jurisdiction of the Wetlands Protection Act.

ES: Motion to waive the reading of the abutters list and legal notice.

JE: 2nd the motion

In Favor: 7 Opposed: 0

Passes: 7-0

Applicant Susan Incagnoli appeared before the Commission and explained that she is paying taxes on her 4.8 acre property, however a good portion of it is wetland and un-buildable. In order for her to apply for an abatement, the Assessors office requires a determination from the Conservation Commission. MM walked the property and noted a significant amount of Bordering Vegetated Wetland (BVW) and Isolated Vegetated Wetland (IVW) areas. In his professional opinion, an interpretive measurement of over 1/3 of the property is categorized as BVW and IVW, which would render the land un-buildable. MM went on to say that he would write a statement to these facts for the applicant in order for her to apply for the abatement. There were no abutters present to speak on this.

LB: Motion to close the public portion of the hearing

PM: 2nd the motion

In Favor: 7 Opposed: 0

Passes: 7-0

ES: Motion to issue a Positive Determination for 10 Old Tyng Rd.

JE: 2nd the motion

In Favor: 7 Opposed: 0

Passes: 7-0

Reports/Discussion:

- **Kendall Road land donation** – MM learned that there is no Deed formerly associated with this parcel. Apparently the land was used as collateral in a 1973 for a loan. Currently the owner's attorney is working on a lien release from the bank in order to rectify the situation.
- **Sherburne Nature Center/Trails Committee Update** – MM is working on getting quotes to make the necessary repairs to the boardwalk, and the Nature Center's sign.

Administrative:

1. Minutes:

ES: Motion to approve the minutes as written from the April 8th & April 22, 2014 meetings

JE: 2nd the motion

In Favor: 7 Opposed: 0

Passes: 7-0

7:20pm

ES: Motion to adjourn

PM: 2nd the motion

In Favor: 7 Opposed: 0

Passes: 7-0

Respectfully for the Conservation Commission,

Pamela Berman
Administrative Assistant